

**RESOLUTION NO. 18-13**

**RESOLUTION AUTHORIZING AGREEMENT FOR MODIFICATION  
OF STORM WATER DETENTION FACILITY**

**WHEREAS**, GARY R. SIDELL and GLORIA J. SIDELL have requested that the Village approve the modification of a storm water detention facility.

**NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON**, Tazewell County, Illinois, as follows:

1. That the Agreement for Modification of Storm Water Detention Facilities, in the form and substance as attached, together with the planned improvement Site Plan and Basin Improvement Details is approved and the Director of Public Works is authorized to execute same.

**BE IT FURTHER RESOLVED** that this resolution shall be in full force and effect upon its passage and approval.

**PASSED AND APPROVED** at a regular meeting of the President and Board of Trustees of the Village of Morton, Tazewell County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2014; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
**President**

**ATTEST:**

\_\_\_\_\_  
**Village Clerk**

**DOCUMENT PREPARED BY:**

**Thomas E. Davies, P.C.  
1600 S 4<sup>th</sup> Ave, Suite 137  
Morton, IL 61550-3407  
(309) 266-6211**

**PLEASE RETURN TO:**

**Thomas E. Davies, P.C.  
1600 S 4<sup>th</sup> Ave, Suite 137  
Morton, IL 61550-3407**

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**AGREEMENT FOR MODIFICATION OF  
STORM WATER DETENTION FACILITIES**

THIS AGREEMENT is made and entered into between the Village of Morton, an Illinois municipal corporation ("MORTON") and GARY R. SIDELL and GLORIA J. SIDELL ("SIDELL").

WHEREAS, SIDELL owns the following described property:

Lot 81 in Cambridge Subdivision Section IV, a Subdivision in the Southwest Quarter of Section 15, Township 25 North, Range 3 West of the Third Principal Meridian, Tazewell County, Illinois.

PIN: 06-06-15-303-034

Common Address: 521 N. Rhode Island Avenue, Morton, Illinois;

and

WHEREAS, a storm water detention facility presently exists and a dedicated easement on Lot 81 and also Lots 79 and 80 in Cambridge IV Subdivision which has previously been approved by MORTON; and

WHEREAS, SIDELL has submitted a plan by Christopher Burke Engineering, Inc. to modify the storm water detention area contained in the back yard of Lots 80 and 81, which is commonly known as 521 N. Rhode Island Avenue, Morton, Illinois.

**NOW, THEREFORE, BE IT AGREED AS FOLLOWS:**

1. That the plan submitted by Christopher Burke Engineering, Inc. is approved by MORTON.

2. That SIDELL shall build the modification to the plan in exact conformance with the approved plan at the sole cost of SIDELL. Upon completion of the construction, the modification must be certified by a registered professional engineer and approved by MORTON.

3. SIDELL understands that since the existing storm water detention facility does not require any maintenance by MORTON, SIDELL and all successor owners of Lot 81, Cambridge IV Subdivision, shall be responsible for maintenance of the modified detention facility. The owner of Lot 81 shall be responsible for the maintenance and replacement if necessary of all pipe and structures associated with the modification. Maintenance shall also mean that pipes and structures are maintained in a manner so that there is no interruption of the flow of any storm water. Maintenance shall be to the satisfaction of MORTON.

4. Since there is only approximately one foot of earth cover over the pipe installed in the easement, only above ground improvements are allowed in the easement. Lawn and gardens are acceptable, but no trees or shrubs can be planted in the easement. Above ground improvements not requiring any ground penetration are allowed. All such improvements must comply with Village ordinance and are subject to building permit regulations and requirements.

5. The obligation on the owner of Lot 81, Cambridge IV Subdivision is a covenant intended to run with the property.

6. In the event it is necessary for MORTON to incur any expense to secure enforcement of the obligation of the owner of Lot 81 to properly maintain and/or replace pipe and structures as required by this Agreement, then the owner of Lot 81 shall be responsible for all reasonable costs of enforcement, including attorney fees incurred by MORTON. Before such costs are incurred by MORTON, it shall be given written notice to the owner of Lot 81 and allow the owner ten (10) days to cure any violation of the Agreement.

Executed on \_\_\_\_\_, 2014.

**VILLAGE OF MORTON**, an Illinois  
Municipal Corporation

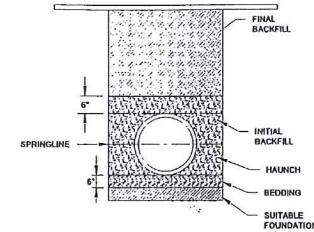
By: \_\_\_\_\_  
Director of Public Works

\_\_\_\_\_  
**GARY R. SIDELL**

\_\_\_\_\_  
**GLORIA J. SIDELL**



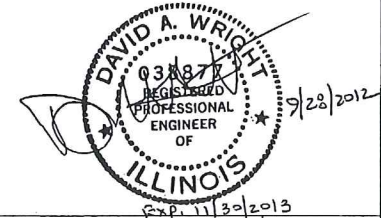
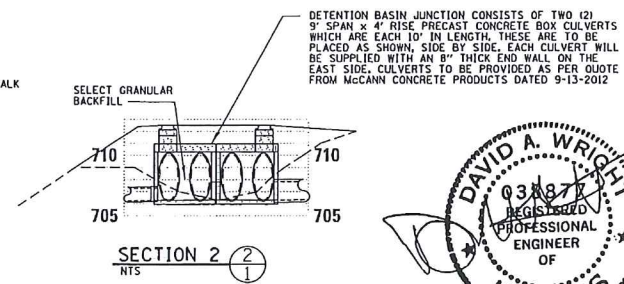
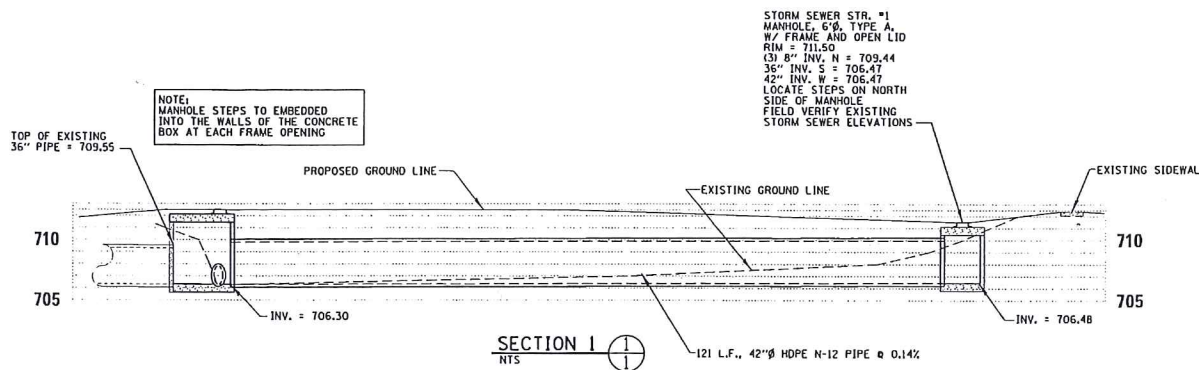




**NOTES:**

1. ALL PIPE SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH ASTM D2321, "STANDARD PRACTICE FOR UNDERGROUND INSTALLATION OF THERMOPLASTIC PIPE FOR SEWERS AND OTHER GRAVITY FLOW APPLICATIONS", LATEST EDITION.
2. MEASURES SHOULD BE TAKEN TO PREVENT MIGRATION OF NATIVE FINES INTO BACKFILL MATERIAL, WHEN REQUIRED.
3. FOUNDATION: WHERE THE TRENCH BOTTOM IS UNSTABLE, THE CONTRACTOR SHALL EXCAVATE TO A DEPTH REQUIRED BY THE ENGINEER AND REPLACE WITH SUITABLE MATERIAL AS SPECIFIED BY THE ENGINEER, AS AN ALTERNATIVE AND AT THE DISCRETION OF THE DESIGN ENGINEER, THE TRENCH BOTTOM MAY BE STABILIZED USING A GEOTEXTILE MATERIAL.
4. BEDDING: SUITABLE MATERIAL SHALL BE CLASS I, II OR III. THE CONTRACTOR SHALL PROVIDE DOCUMENTATION FOR MATERIAL SPECIFICATION TO ENGINEER, UNLESS OTHERWISE NOTED BY THE ENGINEER. MINIMUM BEDDING THICKNESS SHALL BE 4" (100mm) FOR 4"-24" (100mm-600mm); 6" (150mm) FOR 30"-60" (750mm-1500mm).
5. INITIAL BACKFILL: SUITABLE MATERIAL SHALL BE CLASS I, II OR III IN THE PIPE ZONE EXTENDING NOT LESS THAN 6" ABOVE CROWN OF PIPE. THE CONTRACTOR SHALL PROVIDE DOCUMENTATION FOR MATERIAL SPECIFICATION TO ENGINEER. MATERIAL SHALL BE INSTALLED AS REQUIRED IN ASTM D2321, LATEST EDITION.
6. MINIMUM COVER: MINIMUM COVER, H, IN NON-TRAFFIC APPLICATIONS (GRASS OR LANDSCAPE AREAS) IS 12" FROM THE TOP OF PIPE TO GROUND SURFACE. ADDITIONAL COVER MAY BE REQUIRED TO PREVENT FLOATATION. FOR TRAFFIC APPLICATIONS, MINIMUM COVER, H, IS 12" UP TO 48" DIAMETER PIPE AND 24" OF COVER FOR 54"-60" DIAMETER PIPE, MEASURED FROM TOP OF PIPE TO BOTTOM OF FLEXIBLE PAVEMENT OR TO TOP OF RIGID PAVEMENT.

**TYPICAL TRENCH DETAIL**



**CB** CHRISTOPHER B. BURKE ENGINEERING, LTD.  
114 State Street, Suite 1B  
Peoria, Illinois 61602  
(309) 676-9000

CLIENT:

**GARY AND GLORIA SIDELL**  
521 N. RHODE ISLAND AVE.  
MORTON, IL 61550

NO.	DATE	NATURE OF REVISION	CHKD.	MODEL	Default
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TITLE:

**CAMBRIDGE SUBDIVISION  
DETENTION BASIN IMPROVEMENTS  
SECTIONS AND DETAILS**

PROJ. NO. 12-0324

DATE:

SHEET OF

DRAWING NO.

PLN-2